

Order

**Michigan Supreme Court
Lansing, Michigan**

May 23, 2012

Robert P. Young, Jr.,
Chief Justice

144144-5
144159

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

FARMERS INSURANCE EXCHANGE,
Plaintiff-Appellee,

and

STATE FARM MUTUAL AUTOMOBILE
INSURANCE CO.,
Plaintiff-Appellant,

v

SC: 144144
COA: 298984
Mason CC: 09-000035-NF

MICHIGAN INSURANCE COMPANY,
Defendant-Appellee.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE CO.,
Plaintiff-Appellant,

v

SC: 144145
COA: 298985
Mason CC: 09-000172-NF

MICHIGAN INSURANCE COMPANY,
Defendant-Appellee.

FARMERS INSURANCE EXCHANGE,
Plaintiff-Appellant,

and

STATE FARM MUTUAL AUTOMOBILE
INSURANCE CO.,
Plaintiff-Appellee,

v

SC: 144159
COA: 298984
Mason CC: 09-000035-NF

MICHIGAN INSURANCE COMPANY,
Defendant-Appellee.

On order of the Court, the applications for leave to appeal the October 18, 2011 judgment of the Court of Appeals are considered, and they are GRANTED, limited to the issue whether the “primary purpose / incidental nature” test for determining whether a commercial vehicle is being used in the business of transporting passengers is consistent with the language of MCL 500.3114(2), and, if so, whether it was applied properly to the facts of this case.

The Insurance Institute of Michigan and the Insurance and Indemnity Law Section of the State Bar of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issue presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 23, 2012

A handwritten signature in cursive script, reading "Corbin R. Davis".

Clerk